

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Nozer M. Mehta, *et al.*

Serial No.: 10/761,481

Filed: January 20, 2004

For: IMPROVED ORAL DELIVERY OF PEPTIDES

Confirmation No.: 2921

Date: January 29, 2009

Group Art Unit: 1654

Examiner: Jeffrey E. Russel

VIA EFS-WEB

Commissioner for Patent

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated July 30, 2008 of the Primary Examiner finally rejecting claims 1-61, 63 and 65.

The Appeal Fee \$540 - Non-Small Entity is

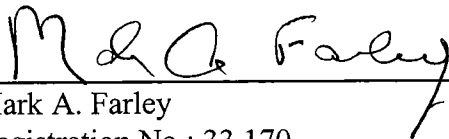
- ☒ Submitted via EFS-WEB
- ☐ Not required (fee paid in prior appeal)
- ☐ Charge to Deposit Account No. 15-0700

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner for Patents is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700. In the event that the actual Appeal Fee is greater than the payment submitted herewith or is not enclosed, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE PATENT AND
TRADEMARK OFFICE EFS FILING
SYSTEM ON January 29, 2009.

MAF:stb


Mark A. Farley
Registration No.: 33,170
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700